

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

MADELEINE CROSBY,

Plaintiff,

v.

SUPER TAN, INC., *et al.*,

Defendants.

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CASE NO. 1:13-CV-00430

OPINION & ORDER
[Resolving Doc. No. [80](#)]

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

The parties in this employment lawsuit jointly move the Court to approve a proposed settlement agreement resolving their dispute over the collective's entitlement to overtime wages under the Fair Labor Standards Act.^{1/}

The Court has reviewed the proposed settlement agreement, and finds its terms fair and reasonable. Counsel describe in detail the method the parties will use to compensate members of the collective for allegedly unpaid hours.^{2/} Hourly employees will receive 14 hours of pay per week the employee worked during the three years before the employee filed his or her opt-in notice, including any overtime that may result for working more than 40 hours per week.^{3/} Managers will receive for the a payment of 1.5 times the federal minimum wage for 20 hours per week that the manager earned \$ 455 or less.^{4/} These payments will total \$ 69, 700.35.^{5/}

Plaintiff Crosby will receive a participation award of \$ 5,000 that is reasonable in light of

^{1/}Doc. [80](#).

^{2/}*Id.* at 6.

^{3/}

^{4/}*Id.*

^{5/}*Id.* at 5.

Case No. 1:13-CV-00430
Gwin, J.

the time Plaintiff spent on the litigation.^{6/}

Plaintiff's counsel will receive \$ 35,299.65 for services rendered.^{7/} This award of attorney's fees is reasonable in light of the hours and skill expended on litigation and settlement.^{8/}

The notice to be sent to each member of the collective is detailed, clear, and informative.^{9/} The parties reasonably seek to avoid the expense and burden of litigating this bona fide dispute and the terms of the agreement reflect fair bargaining.

Accordingly, the Court **APPROVES** the proposed settlement agreement as fair and reasonable, **APPROVES** the proposed notice to the collective, and **DISMISSES** this case with prejudice. Each party will bear its own attorney's fees and costs except as provided in the settlement agreement, and the Court retains jurisdiction to enforce the proposed settlement agreement. Plaintiff's counsel shall immediately inform the Court if any member of the collective opts out of the settlement agreement.

IT IS SO ORDERED.

Dated: November 27, 2013

s/ *James S. Gwin*
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE

^{6/}*Id.* at 7.

^{7/}*Id.*

^{8/}*See* Doc. [80-1](#), Aff. of Fiorelli at ¶ 6.

^{9/}*See* Doc. [80-5](#).